

**HEALTH & HUMAN SERVICES COMMITTEE**  
**of the**  
**Suffolk County Legislature**

**Minutes**

A regular meeting of the Health & Human Services Committee of the Suffolk County Legislature was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, Veterans Memorial Highway, Hauppauge, New York, on **August 4, 2005**.

**Members Present:**

Legislator Allan Binder • Vice•Chair

Legislator Daniel Losquadro

Legislator John Kennedy

Legislator Brian Foley

Legislator Ricardo Montano

Legislator Peter O'Leary

**Members Not Present:**

Legislator Paul Tonna • Chairman

**Also in Attendance:**

Mea Knapp • Counsel to the Legislature

Ron Cohen • Aide to Legislator Tonna

Ilona Julius • Deputy Clerk/Suffolk County Legislature

Gail Vizzini • Director/Budget Review Office

John Ortiz • Budget Analyst/Budget Review Office

Linda Bay • Aide to Presiding Officer Caracappa

Dan Hickey • Aide to Presiding Officer Caracappa

Frank Tassone • Aide to Majority Leader

Kevin LaValle • Aide to Legislator Losquadro

Maria Ammiratti • Aide to Legislator O'Leary

James Teese • Aide to Legislator Kennedy

Bob Martinez • Aide to Legislator Montano

Paul Perillie • Aide to Minority Leader

Eric Brown • Aide to Legislator Schneiderman  
Ben Zwirn • Assistant County Executive  
Brian Beedenbender • County Executive Assistant  
James Dahroug • County Executive Assistant.  
Jacqueline Caputi • County Attorney's Office  
Janet DeMarzo • Commissioner/Department of Social Services  
Ed Hernandez • Deputy Commissioner/Department of Social Services  
Linda O'Donohoe • Assistant to the Commissioner/Dept of Social Services  
Dr. Brian Harper • Commissioner/Department of Health Services  
Dr. David Graham • Chief Deputy Commissioner/Dept of Health services  
Dr. Jeanne Alicandro • Director/Emergency Medical Services•DHS  
Dr. Patricia Dillon • Director/Communicable Diseases•DHS  
Walter Dawydiak • Chief Engineer/Division of Environmental Services•DHS  
Fred Weimann • Chief Operating Officer/Suffolk Health Plan • DHS  
Lydia Sabosto • 1st Vice•President/AME  
Sondra Palmer•Randall • Secretary/AME  
Richard Koubek • Catholic Charities  
Sonia Wagner • Response of Suffolk  
Angela Earl • Elsie Owens Health Center  
Maryann Smith • Elsie Owens Health Center  
Joyce Cunningham • Elsie Owens Health Center  
Paul Arfin • Chair/CE's Commission on Creative Retirement  
Judy Pannullo • Suffolk Community Council  
Ruth Reynolds • VIBS  
Peggy Boyd • Family Service League  
Andrew Levinson • President/Long Island Pool & Spa Association  
Fred Boehmcke • Long Island Pool & Spa Association  
Lawrence Caniglia • Long Island Pool & Spa Association  
Dennis A. Murphy • Long Island Pool & Spa Association  
Karen Pinto • Long Island Pool & Spa Association  
John Lochren • Solar Pool Enclosures of New York  
Emi Endo • Newsday  
All Other Interested Parties

Minutes Taken By:

Alison Mahoney • Court Stenographer

**(\*The meeting was called to order at 11:48 A.M. \*)**

**VICE•CHAIRMAN BINDER:**

Would everyone please rise for the Pledge of Allegiance to be led by Legislator Montano.

***Salutation***

Okay, the Health and Human Services Committee meeting will come to order. The first thing we'll do is convene a ***Public Hearing on IR 1738•05 • Adopting a Local Law to protect the health of Suffolk County residents by requiring defibrillators in nursing homes (Nowick).***

**MS. JULIUS:**

Yes. Mr. Chairman, the affidavits are duly filed and in proper order.

**VICE•CHAIRMAN BINDER:**

Thank you. Okay. I don't have any cards that I can see on this hearing. Is there anyone that would like to speak on defibrillators in nursing homes? If not, I'm going to take a motion to close by Legislator O'Leary, second by Legislator Montano. All those in favor? Opposed? ***1738 is closed.***

I'm going to go then into the cards, I have a number of them.

Again, as I've asked in the past, if I can ask that you keep to about three minutes; I don't know if we have a timer around, that would probably be good if someone can get the timer. You'll hear at the end of your three minutes a beeping, it's not a hard and fast deadline but I will probably ask you to sum up at that point, otherwise it's hard to get everybody up here and have the opportunity to speak.

In fact •• okay, the first four cards are on the same resolution,

IR 1740, the first is Andrew Levinson and this is on, as I said, IR 1740. Why don't you come up, just sit at the table, pull a microphone over, check to see if ••

**MR. LEVINSON:**

Would you like me at the podium?

**VICE•CHAIRMAN BINDER:**

Sit down, it's more comfortable. There's a button on the top, make sure it's towards you, make sure it's on.

**MR. LEVINSON:**

I would like to read a prepared statement to the Suffolk County Health and Human Services Committee.

As incoming President of and on behalf of the Long Island Pool and Spa Association, I congratulate the efforts of this committee to address and search for ways to reduce the tragedy of swimming pool drowning and near drowning accidents in Suffolk County. The Long Island Pool and Spa Association, a chapter of the Northeast Spa and Pool Association known as NESPA, and an affiliate of the Association of Pool and Spa Professionals known as APSP is the largest trade association on Long Island and, as part of APSP, in the United States and Canada representing the interests of the swimming pool, spa, hot tub and water environment industry.

The mission of our association, which has been in existence for 50 years on Long Island, is to create a professional climate in which to advance business activities and to address the needs of the pool, spa, hot tub and associated industries which includes making swimming pools, hot tubs and spas safe for children and adults, whether it is for recreation, sports or water therapy, to treat medical conditions such as arthritis.

As an industry and an association, we have committed countless volunteer hours and significant monetary resources in educating the consuming public the need for water safety, especially when it involves children. To that end, the Long Island Pool and Spa Association, the Northeast Spa and Pool Association and the Association of Pool and Spa Professionals have made available to the public many brochures, pamphlets and other guidelines for safe swimming and encourages the development of and marketing of dozens of safety products from self•latching gates, child water alarms, door alarms and safety covers to name just a few.

In addition, our organization contributes to and plays an active role in developing building standards and codes for the safe and efficient construction and use of pools, hot tubs and spas which are required to be followed by law in nearly all 50 states including New York.

We stand ready to help in this ambitious endeavor of Suffolk County if the Legislature passes this resolution and the County Executive signs it into law. We're also prepared to recommend a highly qualified individual from our association to serve on this task force, as the representative of our industry called for in this resolution. We look forward to working with you and to find new ways to keep swimming pools safe and fun. Sincerely, Andrew Levinson, President, Long Island Pool & Spa Association. Thank you.

**LEG. LOSQUADRO:**

Thank you.

**VICE•CHAIRMAN BINDER:**

Thank you. Any questions? If not, thank you. Next up is John Lochren, Solar Pool Enclosures of New York; is that a company or an association?

**MR. LOCHREN:**

I'm a company on Long Island. I'm also a part of the Long Island Pool and Spa Association as well as the national and I'm on several committees with the national organization.

I have been since 1983 selling child safety covers, automatic pool covers on Long Island and the tri•state area and we already have an ASDM safety cover that's been approved and can be used now as the fourth side of the fence; in some areas of the country it's been used in lieu of fencing. As of record to date in this country, there's never been a child drowning with an automatic pool cover in place, as long as it's been operated. So I did bring some materials, I would like •• I am involved with the association, I again believe it's a good thing and then I think we should have one of our representatives on the board for this because I think we can in part a lot of knowledge and help that committee. I also did bring some information on this product that I would like to distribute to anybody that was interested in it so that they could review it.

**VICE•CHAIRMAN BINDER:**

Great. If you can give it to the Clerk and they can pass it around.

**MR. LOCHREN:**

Okay?

**VICE•CHAIRMAN BINDER:**

Great.

**MR. LOCHREN:**

All right, thank you.

**VICE•CHAIRMAN BINDER:**

Any questions? If not ••

**LEG. LOSQUADRO:**

Thank you.

**VICE•CHAIRMAN BINDER:**

Next is Fred Boehmcke, I think; if I said it wrong, I apologize.

Three consonants in a row really get me.

**MR. BOEHMCKE:**

Well, this lovely lady to my right is probably the only person in the room who can pronounce that name right, but we'll pass on that.

This is just in support •• I'm also a member of the board of the Long Island Pool and Spa Association and been in the industry for 25 years. When •• as the support of the organization and some of the things that we've done at the organizational level, in support of child safety, not only child safety but safety in general for all children and even adults, when products that are used properly that we support from the industry, whether it be fencing or covers or whatever the safety brochures that we pass out, it's just important that the committee knows that these brochures, these pamphlets, this information that we disseminate from probably five to 10,000 dealers across the country, including the members we have here on Long Island. So it's just to emphasize the support that we have for the committee, the work that they'll do, the

organization that we are. Any support that we can give you is there and just to realize that if you have questions or if there is information that needs •• especially swimming pool safety, that you come and keep us involved in anything that goes on. And that's pretty much it.

**VICE•CHAIRMAN BINDER:**

Thank you. Any questions? If not, thank you very much. Last is, for 1740 anyway, Lawrence Caniglia with the Northeast Spa and Pool Association; sounds like an umbrella association.

**MR. CANIGLIA:**

Good morning. Yes, the •• actually, good afternoon. The Northeast Spa and Pool Association is the regional association of which Long Island Pool and Spa Association is one of our chapters. I'm the Executive Director with NESPA and I just wanted to ••

**VICE•CHAIRMAN BINDER:**

You didn't have to bring us a pool. We didn't need one and we don't have to inflate it out here.

**MR. CANIGLIA:**

I just wanted to amplify a couple of things that Mr. Levinson said and Mr. Boehmcke and Mr. Lochren. As the regional organization and as part of our national organization, we have a number of publications that already •• that currently address child safety and safety around the pool. And I think I have enough copies, this nice lady told me I needed ten, I think I got ten of the couple of things I brought. One is "Children Aren't Waterproof", this one is "Pool and Spa Emergency Procedures for Infants and Children". This is •• I don't have enough of these, unfortunately, this is called "Layers of Protection". Layers of protection, again, is a consumer, a pamphlet that we give, that our members give out to their customers. It explains a number of different types of safety devices that can be used around the pool, and I brought with me today just a couple of examples; that's what this big box is.

Just as a quick example, some of the products that we support and our dealer members and, of course, certainly our non•dealer members also sell, these are child alarms that •• we have different •• I have two or three different pieces, types with me. What this does, this is an alarm that sits in the pool and if the water shakes, if a child were to fall in the alarm goes off and that's how an adult is advised that a child has fallen into the pool, or even an animal. We have •• these are door alarms and gate alarms that we also support that, again, warns an adult; if a door were to open or a gate door were to open, it tells someone that someone has

gotten into the pool area.

And finally, we also have a number of things that many of our members use. These are safety bags that they give out in the retail stores when they sell the product, it gives eight different examples of how to be safe around pools and how children should be safe around pools. So the idea being that as the other gentlemen have testified, we have a number of publications that we can help the committee with and we think we are a good source, a good resource to help the committee develop whatever guidelines they want to develop here in Suffolk County.

**VICE•CHAIRMAN BINDER:**

Great. Thank you. Legislator Losquadro, you're interested in the turtle? No.

**LEG. LOSQUADRO:**

First of all, I just wanted to say thank you to all of you for coming down and I look forward to working with all of you. I'm very hopeful that I have unanimous support for the bill that I introduced and I'm very happy that many of my colleagues have decided to cosponsor it and help work with me on this, some of the products that you brought to our attention I had on display when I did a press conference introducing this bill and these are things I'm very interested in looking at.

The intent of this, and I applaud the work that people like yourself have done with the National Pool and Spa Institute to produce these publications, my intent is to try to use the bully pulpit of government to create the public awareness campaign and create a uniform standard for these type of publications that will be distributed to everyone, not just those like yourself who choose to distribute them voluntarily because of the good work that you do with the associations.

So again, I thank you, I look forward to working with all of you on this and I appreciate you coming down today.

**MR. CANIGLIA:**

Thank you very much.

**VICE•CHAIRMAN BINDER:**

Thank you. Legislator Kennedy.

**LEG. KENNEDY:**

Thank you, Mr. Chairman. I echo the statements of Legislator Losquadro. I was happy to go ahead and be a part of this bill, I've got an interest in it for a variety of reasons. One practical question, I guess; I'm not a pool owner so I don't know. What's approximate retail cost for some of the alarms that you just demonstrated to us?

**MR. CANIGLIA:**

They are relatively inexpensive; I'd have to turn to one of my colleagues from the ••

**LEG. LOSQUADRO:**

I can answer that.

**LEG. KENNEDY:**

Under \$50?

**MR. CANIGLIA:**

Oh, yeah.

**MR. LEVINSON:**

Some of the items you're talking in the \$200 range, \$100 range.

**LEG. LOSQUADRO:**

The door •• if I could, through the Chair.

**VICE•CHAIRMAN BINDER:**

Go ahead, Legislator Losquadro.

**LEG. LOSQUADRO:**

The door and gate alarm retail for about \$50 a piece, pool alarms 150 to 250 depending on the manufacture and where you shop for them, based on the research that I did and what was readily available when I did the press conference.

**LEG. KENNEDY:**

Thank you.

**MR. CANIGLIA:**

I think you're right on that, absolutely.

**LEG. KENNEDY:**

So it's relatively nominal in order to go ahead and provide a level of security. Okay, thank you.

**VICE•CHAIRMAN BINDER:**

Thank you. Sonia Wagner, Response of Suffolk.

**MS. WAGNER:**

Hello. My comments will be brief, mostly I'm here to say thank you.

I came to the last committee meeting and I was speaking a little bit about some of the resolutions on protecting kids from sexual predators, particularly for kids who might be calling a hotline, and I had asked for some more time to meet with some people on the committee less formally to better understand what we were talking about and I appreciate that time; in the time that everyone I was able to ask to meet with me gave me.

The one resolution of the two that would apply to Response is 1577 and as I read it, it would require programs, including my own, to reach out to the New York State Sexual Offender Registry and to make sure that people were considering to put on a hotline, staff or volunteers are not on that registry, I certainly support that. I think it's a long time in coming and it doesn't simply apply to hotlines, I think it applies to all programs receiving County funds that work with kids.

I thank you for the time that you gave us and I endorse this resolution.

**VICE•CHAIRMAN BINDER:**

See, Mr. O'Leary I told you was a good guy, he'll work this out. Thanks.

**MS. WAGNER:**

Thank you.

**LEG. FOLEY:**

Thank you, Sonia.

**VICE•CHAIRMAN BINDER:**

Angela Earl on the health center in Coram.

**MS. EARL:**

Good morning. I'm Angela Earl and I'm on the Advisory Board for the Coram Elsie Owens Health Center. And the Public Health Nursing that was upstairs with Social Services is trying to take some of the rooms in the new Elsie Owens Health Center. They are •• the Public Health Nursing was allocated money to go in the town building, from what I understand, and now they want to go into the new building and take up some of the health care space. We didn't even know nothing about them, they wasn't even in the plan when we was planning the building. Now the building is built, they want to take over and come in there and get room. If they want to go somewhere, let them go in there with Social Service where they was at in the beginning, but they was allocated money to go into the town building. So I would like to know, you know, what's going on with that.

**VICE•CHAIRMAN BINDER:**

What we can do to make sure we have the right information, when we get into the agenda, before we start the agenda, so you should hang out here a little bit and we'll have people from the Health Department here, maybe they can give you more information on that.

**MS. EARL:**

Okay, thank you.

**LEG. O'LEARY:**

Can I say something on that?

**VICE•CHAIRMAN BINDER:**

Legislator O'Leary.

**LEG. FOLEY:**

Mr. Chairman?

**LEG. O'LEARY:**

This matter was addressed at the previous committee today, at the Ways & Means Committee of which I chair. So you know this, there was a request on the part of the County Executive's Office that we table the resolution that was going to provide a lease agreement with the Department of Health, I believe for the Public Health Nurses at the old Town Hall on 112. That initiative has been tabled and the reason that was given •• and you've made it clear, obviously now, why they had asked for us to table that resolution •• was because they were looking at the possibility of locating the Public Health Nurses at a County•owned facility.

So I would think that what you're saying is absolutely correct, that the County's looking to put the Public Health Nurses in the new Coram Health Center. I believe that's the reason why or the intent of why they had asked us to table it. I agreed with the tabling request not knowing the full details of why and where they were contemplating putting the Public Health Nurses, but now that that's been brought to light, we'll certainly take that under consideration.

**VICE•CHAIRMAN BINDER:**

Who are they displacing?

**LEG. O'LEARY:**

Is anybody in the new center being displaced as a result of this proposal or this possibility of having the Public Health Nurses in the new Coram Health Center?

**MS. EARL:**

Well, yes, because if they take •• they want to take over the conference room; if they take over the conference room then there's no place for the employees to have their meeting, no place for the advisory board meeting, no place for the classes to go on. Because they wasn't in the picture when we planned the building, they was in the Social Service part, that's where they was at and that's where they should go if they want to go somewhere.

**LEG. O'LEARY:**

All right. Well, just so you're aware, I know it's a concern of yours, just so you're aware of this,

that this matter hasn't been resolved. It hasn't been resolved in Ways & Means and obviously with the Health Committee here we're hearing it for the first time. It was brought •• but it was brought to the attention of the Ways & Means Committee. We had a resolution before us that was all prepared to agree, approve a lease agreement for the Public Health Nurses to be down at the old Town Hall on 112, but at the request of the County Executive's Office that was asked to be tabled. So I would suggest to you that perhaps you take up your cause or your situation with the County Executive's Office.

**MS. EARL:**

Uh•huh.

**LEG. O'LEARY:**

We can address it as well, but just so you know where the initiative came from on moving the Public Health Nurses into the Coram Health Center, that's not this body, that's across the street. Okay?

**LEG. FOLEY:**

Mr. Chairman?

**VICE•CHAIRMAN BINDER:**

Legislator Foley.

**LEG. FOLEY:**

Thank you, Mr. Chairman. And thank you, Ms. Earl, for coming here today, and it's within a week's time of Elsie Owen's passing. A number of us went to the wake as well as to the funeral. She was an outstanding person who did marvelous work, not just for her community but for all of Suffolk County, particularly for advocating for quality primary health care.

There's a few points, just to amplify what Legislator O'Leary had mentioned, and it's also a process that normally take place. Usually there's a group called Space Management Committee that has to review any request for an amendment to the allocation of space for any County building. So one of the things we have to look at is whether or not this went through that particular committee.

Secondly, something as important as this should also •• the Executive Branch should speak

directly to the Advisory Board at the health center, that's how it normally works with a number of the health center advisory boards before any changes are made without space allocation. And just to underline the point, when this was put together for the health center, there was never any discussion of that particular agency or division moving into the health center, that I know of.

**MS. EARL:**

Right.

**LEG. FOLEY:**

And what's really important here, particularly because it's a community health center, whether it's the conference room and some of the adjacent rooms were going to be utilized for community health education, the Diabetes Program was one and I know there are others as well, perhaps even prenatal, perinatal and postnatal. But there were going to be a variety of public health education classes, I call them classes, but sessions that were going to be held in the public spaces of the health center.

So part of what we need to find out, we want the Public Health Nurses to have the offices that they deserve, but usually there's a process that unfolds and takes place if a change is going to be made to have a particular group go from one particular office to another. But a lot of time and energy and talent went into how the Social Services component of the building, as well as how the Health Services component of the building, would be configured in order to meet the mission that each department has. So this is really a late inning, to use baseball terminology, a late inning substitute. So we don't want them to be caught in the middle, the Public Health Nurses, we want them to do •• be in the right place. But I think through the chair, the process, a transparent process has to take place in order to have some final determination on the matter.

**LEG. O'LEARY:**

Through the Chair?

**VICE•CHAIRMAN BINDER:**

Legislator O'Leary.

**LEG. O'LEARY:**

I just wanted to amplify a bit on Legislator Foley's comments regarding the Space Management Committee. I sit on that committee and I know for certain that this issue was discussed at length within the committee and it was approved by the Space Management Committee that the Public Health Nurses enter into an agreement or the County enters into an agreement for purposes of being located at the old Town Hall on 112, not the Coram Health Center. So again, this is something that's coming to our attention, as Legislator Foley characterizes it, at the eleventh hour, so to speak. And I tend to think that it's more of a cost savings initiative on the part of the Executive Administration to do this.

But again, I mean, you •• this matter will come before the Ways & Means Committee in the next cycle for purposes of approving that lease agreement. And if that, in fact, is the reason why they asked for the tabling motion, which I agreed with, you have my assurances that it will be moved out to the full body in the next cycle.

**MS. EARL:**

Thank you very much.

**LEG. FOLEY:**

Thank you, Ms. Earl.

**VICE-CHAIRMAN BINDER:**

Thank you.

Is there anyone else that wants to come before the committee? That's all the cards I have. If not, I'm going to move on to the next part of the agenda; Paul Arfin, the Chairman of the County Executive Commission on Creative Retirement, has a presentation.

**MR. ARFIN:**

Thank you, Mr. Chairman.

**MS. PANNULLO:**

And his sidekick, Judy Pannullo.

**MR. ARFIN:**

And my sidekick, Judy Pannullo. I have copies of something for each member of the committee.

Mr. Chairman and Members of the •• yes? Oh, I thought you were going to say something.

**VICE•CHAIRMAN BINDER:**

Well, I do •• Paul, I wanted to ask you a question. I have to admit, I've been here 16 years and I've never seen the Suffolk County Commission on Creative Retirement and I don't remember any legislation creating a Commission of Creative Retirement with a seal and the whole thing. So I feel like I should have known something, or what did I miss is I guess what I'm asking.

**MR. ARFIN:**

Great, that's a great lead•in.

**VICE•CHAIRMAN BINDER:**

Okay.

**MR. ARFIN:**

My name is Paul Arfin and I've worked in human services in Suffolk County for about 40 years. And during my non•retirement, one of the things I did was talk with the County Executive a year and a half ago about him creating a body that looked at the implications of Suffolk County's aging population, it's impact upon •• in all aspects. He liked the idea and we sat down and we created a commission in his office. There's no budget. We have a small •• we have a committee or a commission of 12 people who have spent the last year and a half working and preparing the report that is before you. So that's the context of this.

There was •• so what I would like to do is brief you on the report, that's the purpose of my visit today. There are 14 recommendations and because I know time is in an issue, I'm really going to highlight six of them. And I might also just •• before I say that, say that we decided that this commission should be in the County Executive's Office because we wanted to look at aging in all its aspects; transportation, health, employment, volunteerism, everything, and so we felt that the County Executive would be the best place to give attention to what we have come up with. I'm going to use this Power Point presentation, God willing. Oh, no, help, technical help.

**LEG. O'LEARY:**

Mr. Arfin?

**VICE•CHAIRMAN BINDER:**

Arfin.

**LEG. O'LEARY:**

Arfin with an R? Arfin, I'm sorry, I apologize. I can't help but ask, this begs the question if this is a County Executive initiative and solely a County Executive initiative, why is it that you see fit to come before us today to give a report?

**MR. ARFIN:**

Good question. I contacted the Presiding Officer and he suggested •• and I asked for an opportunity to brief him and I have also already briefed a number of Legislators, and it was the recommendation of •• I'm blanking it •• Mr. Caracappa that I come to this committee and the Aging Committee to brief them rather •• before I spoke with him. So that was why I did this and that's the story.

**LEG. O'LEARY:**

Okay. But, I mean, you are now keenly aware of the fact that some of us have never heard of this commission ••

**MR. ARFIN:**

Yes.

**LEG. O'LEARY:**

•• and we're seeing it for the first time.

**MR. ARFIN:**

I understand.

**LEG. O'LEARY:**

Okay.

**VICE•CHAIRMAN BINDER:**

Before you start, because I have concerns; I have to tell you, there are procedural concerns. I've asked Counsel and she's quickly trying to look things up. The use of a County seal on anything has to be authorized by the County Legislature, this obviously is not and so this commission gives itself the imprimatur of a County commission. This is nothing against you guys, I have only the highest respect for you. And I haven't looked to see who else is on the commission, so as individuals, in 16 years, only the highest respect. But you have to understand, there are procedural questions ••

**MR. ARFIN:**

I understand.

**VICE•CHAIRMAN BINDER:**

•• questions in how we do things here and how we do things in the government. The problem is that, first off, there's definitely some kind of violation here in using that seal. Now, it's not on the report itself ••

**LEG. FOLEY:**

That's right.

**VICE•CHAIRMAN BINDER:**

•• but it's on a presentation. The presentations, in a sense, going •• is purportedly to advise the County Executive, but you're here, in a sense, to make at least semi•formal •• and I'm not going to stop you from doing it •• semi•formal or almost official recommendations of something that has the imprimatur of a County commission in a public forum to a Legislative committee when the creation of commissions is under the purview of the County Legislature.

Now, if the County Executive wants to create literally almost any group to advise him as a person, as the County Executive because he wants to get information for him to see what he wants to do and how he wants to run the government and he can create anything he wants, as you say, with no budget and he can have it •• anything he wants to do. But once it •• and here's my question also, and even to Counsel. It says Suffolk County Commission, this is not just Steve Levy's commission, the Executive's commission, this is actually called a Suffolk County Commission. It gives the imprimatur, by saying it's a Suffolk County Commission, that it's an official commission, its report then has some kind of official status, its recommendations

have official standing. It's use, obviously they felt •• now, you didn't make this yourself, so I assume that ••

**MR. ARFIN:**

No, I did.

**VICE•CHAIRMAN BINDER:**

Well, someone helped you. How did you get the seal?

**MR. ARFIN:**

The seal is on the printed version of the report.

**VICE•CHAIRMAN BINDER:**

So you took it off, okay

**MR. ARFIN:**

Right. And I assume responsibility for putting it on here.

**VICE•CHAIRMAN BINDER:**

So the seal is on •• okay.

**MR. ARFIN:**

Yes, the seal is on the printed version.

**VICE•CHAIRMAN BINDER:**

Okay.

**MR. ARFIN:**

And I would have handed those out ••

**VICE•CHAIRMAN BINDER:**

And maybe it should. And by the way, again, this is •• again, it's not against you.

**MR. ARFIN:**

I understand.

**VICE•CHAIRMAN BINDER:**

My concern here is that if we start doing certain things then they •• and we don't question them, then they become, not only for this County Executive, for future County Executives, they become a way of acting that starts a precedent and that's why we have to review these things.

So I'm going to have you make the report, but I'm going to ask Counsel to give us a report on the use of the word Suffolk County Commission without •• by the way, I would do the same, and Legislator should know, I would ask the same if Bob Gaffney was the County Executive right now, I'd ask the same questions now. Because this is a question and we keep having these over the years, it seems in the last two years, of questions of prerogatives of the different branches of government and it seems that the County Executive's prerogatives just keep expanding into Legislative prerogatives in a lot of areas.

So I'm just going to have her do that, kind of report •• please issue a report. I would ask that you check with Counsel also, with the County Attorney, on the use of a seal on this report. There is not going to be any actions taken. If it was a mistake, if you didn't initiate it, it's not a problem, but it's something that we have to look into just so we understand, as I say, the bright line between the two branches and what are our prerogatives and who can create commissions and that kind of thing. So if you can go forward with that as a lead•in.

**MR. ARFIN:**

Okay, thank you. Okay. This is kind of a general framework for the work we did. Senator John F. Kennedy, back in the late 50's said that "Today we are wasting resources of incalculable value, the accumulated knowledge, the mature wisdom, the seasoned experience, the skilled capacities, the productivity of a great and growing number of our people, our senior citizens."

Here is the membership of the committee. It was made up of people inside and outside of government with either academic or as providers of services, you know, to the community.

Our vision was to establish the County as a model of how to create a broad-based movement that results in innovative and widespread involvement of older adults, in meaningful and measurable civic engagement and employment opportunities that benefit our economy. We strongly feel that we are •• that older adults represent what we call vast social capital that can help our society address some of its problems, some of its needs.

I'm going to jump •• I'm not going to get into the demographics for the sake of time. We looked at the labor force participation of older adults, we looked at a lot of data. Again, it's in the report and I would say that this has significance for each of you in your districts. Again, I'm going to flow through this and get to the specific recommendations and, again, I'm going to highlight six of them.

One of them is to expand and promote the Department of Labor's successful one-stop employment service structure to accommodate older adults seeking part-time employment. More and more older adults want to work or need to work and we need to think of creative ways to insert and encourage them to fill jobs in our economy. And they want to do it and they've got many, many qualifications. And I'm not talking about slinging hash, I'm talking about professional positions, administrative positions, all kinds of positions that they could be working part-time, flex-time, seasonal, all kinds of ways, and that could have tremendous economic implications for the County.

Let's see, I'm not going to get into that one right now. Here's another one, that when County employees retire, just like when people retire in the private sector, most often there is no preparation by •• given by the employer to help the employee or the pre-retiree think about what retirement is going to be like and what •• you know, what life is going to be like, whether they should work, whether they should volunteer, where they should live, what life is going to be like between husband and wife living, you know, in retirement, is golf and playing bridge going to be enough? And so what we're suggesting is that the County, as an employer where maybe a thousand people retire every year, establish some form of educational seminar before employees leave the workforce helping them to think through this period. This is wasted capital. These people could be encouraged to take jobs on a part •• again, volunteer, etcetera. So that's one of them, that's the second one.

We also feel, as I said, that we need to tap into this volunteerism; you know, do not ask what your County can do for you, ask what you can do for your County. We feel as a campaign, baby •boomers changed everything they touched, now they're going to turn 60 next year, they represent vast social capital that could •• of accountants and doctors and lawyers and administrative assistants and people that could be addressing things in our economy with kids at risk •• sorry.

Moving on, we also feel •• we also know that volunteers, the main reason why older adults don't volunteer is because nobody asked them. So we need a registry or a clearing house •• and Judy, why don't you touch on that •• that we have all kinds of opportunities for volunteerism but people don't know where to turn, they get •• and Judy, you take it from there.

**MS. PANNULLO:**

Just very briefly. The Council has been interested in developing some sort of permanent registry, there's so many agencies that exist now, United Way and there's a Long Island Volunteer Center and RSVP has all of these volunteers, but there's no central place for people to go that need volunteers and to list volunteer opportunities. So we thought it was important that we have some central registry and so what the Suffolk Community Council is doing is setting up a permanent registry which will be web•based as well as an 800 number, and we're in the process of doing that, and I think that that's going to allow more people to volunteer. Because a lot of people said, "I would love to volunteer but I don't want to work in a soup kitchen or stuff envelopes," and that there are so many creative ways that a volunteer could help, we're thinking in a social service agency would make a big difference. So that's one of the things that come out of this commission.

**MR. ARFIN:**

And one thing that I would say is that all of the things that we're suggesting, you know, as recommendations don't necessarily cost the County money; in this instance, it's being initiated with, you know, charitable dollars.

Another important one is home•sharing, and I gave you an editorial in Newsday from July 20th on this. We believe that home•sharing, organized in a responsible way, can help to provide affordable housing for low income people while also providing a source of income and companionship for older adults. Too many older adults are leaving their homes or being forced

to consider leaving their homes because they can't afford to live there. If we match them up with a young person who pays them \$500 a month and perhaps drives them to the doctor twice a month or other variations on that, there is a program in Atlanta, Georgia that over the last 20 years has accommodated 20,000 people in a home-sharing program. We have studied this, we have had the Atlanta Director up here to pick our brain, this is a winner. And fortunately, again, with private dollars, the Family Service League is about to initiate a small program, a prototype in the Town of Islip. We really feel that this needs to go County-wide eventually, but we're going to demonstrate it works. And we've looked at this from a legal perspective, from attorneys, the liability issues and, again, it's working in Atlanta, San Mateo County, California has over 200 matches currently, Atlanta has 430 matches in suburban communities like Suffolk County.

We also are recommending that consideration be given to the establishment of a Senior Property Tax Work-Off Program wherein people over a certain age, hypothetically 60, who own homes or are single homeowners, who want to volunteer within County government doing work that otherwise wouldn't get done and that doesn't take a job away from a County employee, would receive a property tax credit. What that credit is, is it on the school district, is it on the police tax, is it on the County tax, all on the table. But this is functioning in states around the country and it's helping some older adults to stay in their homes and also provide needed services. The reduction in taxes, tax receipts is far •• I should put it the other way, that the value of the services that they provide far offsets the nominal cost of what might be a \$500 tax credit or a thousand dollar tax credit, okay?

Let me see if there are any more that I really wanted to touch on.

The last one has to do with •• it's basically we feel there's a need to develop a public relations campaign that presents a more positive view of aging in the County, that aging is no longer, you know, you retire at 65 and you've got ten more years to live and so you end up, you know, laying back and playing golf. At 65, like myself, I plan to live another 30, 40 years and remain active throughout those years. It's a major component of one's life today that one can, you know, reasonably plan on, and so let's promote a positive view of aging.

Certainly, there are people who have health needs and other kinds of needs, and there's no doubt about it, but most people who live in Suffolk County who are over 65 are people who are active and alert and we need to pay attention to them and kind of present a positive image of aging.

That's my presentation. I would just say a couple of more brief things. That the commission completed this report and what we're doing now is we're dividing into work groups, because in effect we feel we've created a blueprint. And what we would like to see happen now is that groups of people from government and outside of government get together and think through how to implement these various recommendations. So if any of you have any suggestions as you read the report of people to join the work groups, we would love to hear from you.

Secondly is that, as I said before, there has been no budget involvement in this. What we would •• what we would ask the Legislature to consider in the fall is giving a small increase to the Suffolk County •• Suffolk Community Council to help them support to continue this study and action process. And I'd be happy to answer any questions.

**VICE•CHAIRMAN BINDER:**

There was a question •• Legislator Foley.

**LEG. FOLEY:**

Well, thank you for the presentation and you've given us a lot of homework to do to review the report and the recommendations. Certainly during the budget process in the fall we'll take a serious look at ways in which we can follow through on a number of the recommendations. But through the Chair, I would say, particularly when you speak also with the Aging Committee, you're on to something and however it originally sprang from, I think that we all on both sides of the street, Executive and the Legislative branches •• this report is on to something which is the fact that we have an aging population in our County. But we've all had concerns about let's say generational segregation and you need to have more of an intergenerational approach to housing, to workplaces and the like. So if we can find ways to engage the towns of what I call the young retirees, those retiring between the ages of 55 and 65 who have worked their whole lives •• and as you say, contrary to the myth, not everyone likes to play golf. So for those who don't, they still get quite a bit of satisfaction from working and if we can find ways to utilize their talents, whether in the public sector or not•for•profit or the private sector, this really, for our region of Long Island, Nassau and Suffolk, this can rebound to the benefit of a lot of different organizations and people.

So you're on to something here and by bringing it to this committee's attention, particularly in

the fields of health and human services, five years from now we can look back and say this could be one of those important junctures at which we took a serious look at how we can use talents in order to meet the missions of a variety of organizations. So I want to thank the both of you for that, and there will be follow•up to this. Notwithstanding some of the issues, procedural issues that were raised which need to be addressed, but to get to the substantive nature of your proposals. They can have a •• they will make a world of difference to the quality of life in this County.

**MR. ARFIN:**

Thank you. If I could ••

**LEG. FOLEY:**

Sure.

**MR. ARFIN:**

•• just to reinforce that point. Two weeks ago the Wall Street Journal had an article on a national study of a thousand people between the ages of 50 and 70; 58% of the people between age 50 and 59 want to give back either during their pre•retirement or during their retirement, meaning they want to work with at•risk kids, they want to help the environment, they want to change careers. So this is not just idealism, you know, at work, this is hard data by Princeton Research Associates that says that your constituents between 50 and 59, a lot of them want roles, meaningful roles in our society and they don't exist now in sufficient numbers.

**LEG. FOLEY:**

Just to follow•up, I would say, having spoken with my brothers and sisters who are that age, many of them want to •• they've put their children through school and whatnot, they earned a paycheck, now some of them want to go back to the issues that they were either protesting or they were active in in their college days and now they have the opportunity to do that.

**MR. ARFIN:**

Exactly.

**LEG. FOLEY:**

So again, as you said, there is a whole group of folks who are ready, willing and able to do the things that you've mentioned because they're at a point in their lives that they want to, in fact,

go back to some things that they were very active with in the early parts of their lives and now they want ••

**MS. PANNULLO:**

That's the social capital that we were talking about.

**LEG. FOLEY:**

•• and have it with a more seasoned perspective, so.

**MS. PANNULLO:**

Right. That's the social capital. I mean, these were baby boomers who were protesting in the 60's and really know what the social issues are. And now that they have, you know, paid for a house and put their kids through college, now is the time to do it. We want to tap into those resources before they're lost on the golf course or something.

**LEG. FOLEY:**

Very good.

**MS. PANNULLO:**

Any other questions?

**LEG. O'LEARY:**

If I may add.

**LEG. FOLEY:**

That might include you, Pete.

**LEG. O'LEARY:**

Judy, that doesn't imply that members of my generation are all hippies and yippies and stuff.

**MR. ARFIN:**

Oh, no.

**MS. PANNULLO:**

How did I know that, Pete? That's because I am one, or was.

**LEG. O'LEARY:**

Or was, yeah.

**VICE•CHAIRMAN BINDER:**

Are there any other questions? If not, I do appreciate what you brought up, it's an important subject. There are procedures and questions of how ••

**MR. ARFIN:**

I understand.

**VICE•CHAIRMAN BINDER:**

•• we're going to bring these things up.

**MR. ARFIN:**

I just hope we're not going to get lost in procedural stuff, this is bigger than that.

**VICE•CHAIRMAN BINDER:**

Right, so ••

**MR. ARFIN:**

And I know that things need to be addressed and I fully respect that, I've been down the block for 40 years and that's got to be dealt with.

**VICE•CHAIRMAN BINDER:**

Right.

**MR. ARFIN:**

But please, look at this, you know, on behalf of your constituents and the public at large.

**VICE•CHAIRMAN BINDER:**

So the question is, as you say, the recommendations, the concerns that we all have, and we have to look at those things that have come out of this. But you have •• you do have to understand, that's separate, we can look at it, we can take a track and look at these things and

work with Family Service League and we can look at Suffolk Community Council and all these groups and work to promote important and good ideas for our seniors.

**MR. ARFIN:**

Thank you.

**VICE-CHAIRMAN BINDER:**

At the same time, there has to be an understanding of how things are created in this County, how commissions are created, when there are official statements, what's official? I mean, the fact is that you even held hearings. And I don't know who the advisor was on this and we can just leave it at that, that someone was advising in the County Executive's Office, I have to assume, that cleared this, even cleared your report or, you know, looked at it and didn't say anything. The County Attorney's Office has a lot to say to us when a word looks wrong in one of our resolutions, I'm amazed that they didn't tell you that, you know, you can't improperly use the seal of the County and things like that, and you should have been advised. That was the role of whoever your administrative advisor was in the County Executive's Office, they had a responsibility to tell you things like that. That's actually in law, in County Law, on how and where and when to use the seal.

And then using the words Suffolk Commission or Suffolk County Commission, those are all problems, those are things we have to look at. Only because as we go forward •• and I'm leaving in a few months, but Legislators have to be concerned as to an expansion of Executive power at a diminishment, and it's been happening over the two years I've seen it, it's a constant expansion of Executive prerogative and a diminishment of Legislative prerogative in so many areas that I think it should be of real concern for those Legislators who are coming back here; the Legislature becomes less and less of an important body in this County as the County Executive's Office becomes broader and broader. And that's a concern that's going to go beyond my tenure here and I have great concerns about what I'm seeing happening as a pattern.

But that doesn't diminish the time and effort that you put in and the work you put in and the ideas you've come up with. Even if you did this on your own or however you did it, these are good ideas, a lot of them. Some people would take issue with some of the ideas and be concerned, as you say, coming into the County working and saying well not displacing workers, we've had questions on that in the past and that's always something that concerns us. But they

are interesting ideas, I think we're going to look at them and others are going to look at them and we're going to have to look at some other things just as a result of hearing this today.

I would ask you to go back to the County Executive's Office and ask them why they didn't tell you about the law, County Law on the seal and why they didn't advise you not to use the seal. Because you would have to make a knowing violation for there to be any penalty, but if you knew, it literally is a misdemeanor under Suffolk County law. But it's not knowing, you didn't do it with knowledge and forethought, so it's not a misdemeanor, but they should have told you that and that was the responsibility of the County Executive's Office, to keep you advised that there's law in this particular area. And so this didn't have to happen today and this discussion wouldn't have had to happen on that particular area, just the seal itself. And so I would ask you to go back there and have some discussions with them because they didn't advise you properly. But thank you for your report.

**MS. PANNULLO:**

Thank you.

**MR. ARFIN:**

Thank you.

**LEG. FOLEY:**

Great report.

**VICE•CHAIRMAN BINDER:**

Okay, we're going to go to the agenda. If I can have the two Commissioners come up, we can •• because I don't know, we don't split it up between them, we can just have both Commissioners come up.

**MR. COHEN:**

The Commissioner of Health did call and say he had a scheduling problem, he will be at the next meeting.

**VICE•CHAIRMAN BINDER:**

The Commissioner of Health, I actually called his office today and yes, I heard again he wasn't going to be able to make it, but apparently he'll come at the next meeting. I think he sent us a

message, he'll come when he wants to come, not when we want him to come; I think that's basically the message inherent in that.

**MR. ZWIRN:**

I'm here.

**VICE-CHAIRMAN BINDER:**

Before we start, there are a couple of questions, let me ask

Dr. Graham, if I can. Last time we had a meeting we had in front of us an article about the moving of food services. That week there was a concern and are we adequately protecting the citizens of Suffolk County in terms of evaluation of different restaurants, making sure they're okay and up to standards, and of course we were assured that everything is okay. Since then I have talked to some people, I haven't gotten the report yet but the New York State Department of Health apparently issued a report in 2004, New York State Evaluation of the Food Control Program; maybe you can get us all a copy of that.

Because my understanding is that evaluation has said that the best •• and I think it has always been over the years the best program in terms of our sanitarians looking into and keeping the health of our restaurants at the highest level. My understanding is that report criticized severely Suffolk County in terms of our ability to protect the people of Suffolk County, that we're not getting into enough restaurants, that we're not overseeing it enough; and that's a New York State Department of Health evaluation, I'm very concerned about it. So if you can get us a copy of that, we could take a look at that.

I think we are down severely in terms of the number of sanitarians.

I think when the administration came in a number of sanitarians were taken off, we had trainees that were taken off and put into other places, we're severely low. And I don't blame the sanitarians, I think they're doing basically everything they can with the resources they're given. And I think in this budget, and I just want to put this out here, you can get me the copy but you should probably show the people in the County Executive's office a copy of this report as they're looking at putting together the budget because I think we need at least ten sanitarians in this next budget. And in fact, I would say probably more than ten are needed to protect the people of this County, we are severely short, we're not looking at enough

restaurants. I don't want to be here or hear about it after I'm gone that there's been, you know, an outbreak of E•coli or something because we just couldn't get to enough restaurants, that would be •• that wouldn't be good on anyone's watch.

So I would hope that you're going to ask the County Executive's Office in your budget request for a lot more sanitarians, and if you don't I can tell you that I'm going to be looking to put them in the budget as an amendment. And maybe what we can do is maybe we should even do an amendment this year, because September is coming, a budget amendment, maybe we can do this together. Because if there's money in the budget somewhere in the Health Department, I would think that maybe we should start hiring some this year, maybe we can get five or so going this year in terms of having sanitarians on the street even before we get the next budget, because the problem with the next budget is it's not until next year; you get training, we're not looking at sanitarians being on the street and in our restaurants for a good part of next year. So maybe we can have some discussions about how to get between five and ten, if there's money anywhere, and I'll talk to the Budget Office and we'll see if we can get five to ten as an amendment to this budget, see if we can get something going for September, get some on and then you should also, I'm hoping, talk to the County Executive about getting some going for next year's budget. There's nothing more •• you know, one of the things that have to strike fear in anyone's heart that would go into a restaurant, it just hasn't been looked at in too long and, you know, have your kids eating stuff and getting real sick, it's just •• it can be a terrible thing. So if you can get us that report, that would be helpful. And I ••

**CHIEF DEPUTY COMMISSIONER GRAHAM:**

Yes, your comments are well noted.

**VICE•CHAIRMAN BINDER:**

I appreciate it. And I just obviously, for the record, lament again that the Commissioner couldn't find a way, with a whole month or over a month off, to schedule knowing full well when we were going to meet that he couldn't be here. Maybe he could have, as the Commissioner, discussed the problems that he saw in the 2004 report and I'm surprised that there's been no discussion with us with that with the Commissioner, but I would have loved to have discussed it with him but I guess we can wait till the next meeting to do that.

**MR. ZWIRN:**

He will be here at the next meeting. I know he's meeting in the County Exec's Office today on

the matters of jail, medical treatment at the jail, the overtime, so he is doing the County's work. And you can't keep me away, I mean, I'm here.

**VICE•CHAIRMAN BINDER:**

I'm sure, I'm sure. I guess we just would have hoped that he could have had that meeting scheduled at a different time, knowing full well that this is the time that the committee meets, to schedule a meeting at the same time with the County Executive's Office is unfortunate to say the least. Again, I mean, I went through it last time, I think it's a slap in the face of the Legislature and it's not something •• but it seems to be coming one after another, so I'm kind of getting used to it, my cheeks are a little red.

**MR. ZWIRN:**

But there's an awful lot of good people from the Health Department who work there and a lot of them that are here today, including Dr. Graham, Dr. Dillon, Dr. Alicandro is here, so we have a really strong representation to answer all the questions that the ••

**VICE•CHAIRMAN BINDER:**

I appreciate it, but sometimes we like to hear the Commissioner actually answer the questions and for him to take a stand because that's where the buck stops and so when he says it, it comes from the Commissioner themselves who is in charge and is •• as I say, the buck stops with the Commissioner and so if some someone else says it, the Commissioner can go back and say, "Well, you know what, he said that but that's not exactly how I would have said it. I didn't want to do it that way and that's not what I meant." When the Commissioner speaks, a term Commissioner as we say because it's not political, it's a term Commissioner, then we know that the final word in Public Health is being spoken in this committee, and unfortunately we haven't had that in many months, many months we haven't had him here, so that's unfortunate.

**LEG. KENNEDY:**

Mr. Chair.

**VICE•CHAIRMAN BINDER:**

Legislator Kennedy.

**LEG. KENNEDY:**

Thank you very much. I've got a general question, I guess, about something that I've heard most recently as far as an administrative decision within the Department of Social Service and the issuance of Medicaid vouchers, and I believe it may be a question that actually lies with both Commissioner DeMarzo and Dr. Graham.

It's come to my attention that I believe it's recently there's been an administrative decision to issue •• and I know I'm going to garble the terms, but I'll try to describe it •• pre-Medicaid authorized vouchers to one physical site in the County, that being the Smithtown site only and limited to no more than five in a particular day; is that correct?

**COMMISSIONER DEMARZO:**

I'd like to take liberty of giving the overall picture so that your question can be framed with some background. They're called emergency prescription vouchers, they're not part of the Medicaid Program, they're part of emergency need which is part of the Temporary Assistance Program.

The Temporary Assistance Program requires that we meet emergency needs of individuals that present to the department and meet certain eligibility requirements, those include housing, rental arrears, lighting, utility, you know, heating and food. Prior to the adoption of the Welfare Reform, there was also the provision for the coverage of certain medical related expenses such as prescription drug vouchers. With the adoption of the Federal legislation and implementation in New York, prescription drug coverage was no longer an allowable Emergency Services need.

Emergency Services is a program that's run within the Client Benefits area of Social Services, not the Medicaid. So it had originally been a Client Benefit Services through Public Assistance prior to Temporary Assistance; we in Suffolk County continue to provide that. There is also •• just to clarify, there is no provision under the Medicaid program for Emergency Services coverage of this, there's no emergency Medicaid per se. So we as a County stopped receiving Federal and State participation for this emergency service that we provided in Suffolk County. We had done ••

**LEG. KENNEDY:**

Janet, if I can •• Commissioner, if I can interrupt, just so that I'm following you. And I appreciate the framework and the history and I appreciate my colleague's indulgence on this. When was that Federal and State assistance for this prescription drug benefit practice that we

had stopped?

**COMMISSIONER DEMARZO:**

I think in 19 •• it was some time in the late 1990's that we became aware that it was no longer a claimable expense.

**LEG. KENNEDY:**

So it's a fair statement that we've elected, I guess, as a local government to continue this practice for what, six, seven, eight years perhaps?

**COMMISSIONER DEMARZO:**

I believe that really it was a practice that was continued kind of piece meal and that the State did not give us guidance on it directly. So yes, throughout that period of time we continue to provide that coverage. We have modified our standards over the years and we have started to track the expense that's been incurred. Over \$600,000 in County only money was used for this benefit last year.

Essentially what happens is when you have an emergency need you present to the department and you say, "I have this emergency need." If you presented any County in the State, besides Suffolk County, for prescription drug coverage, it is not a covered benefit. Yes, in Suffolk County we continue to make it a covered benefit at a total local expense. In last year's budget I had recommended that it be eliminated, it was not accepted. So in an effort to try to meet the more •• the mandated services that we're required to do, we're required to see everybody that presents at the center, to meet their food, their housing, their heating assistance needs. We as a department have moved towards meeting emergency needs completely within the day, seeing all clients within seven days for their initial interview and making our eligibility determinations within 30 days. This is the first time as a department in years •• the only center that we're not at that standard with is Coram and that's because of the move, it's really slowed down the process. So our real goal is to meet our mandated services to provide •• so in an effort to streamline the processes with the staff that we have and to meet our mandated goal by not closing out this program, we have restructured it and we've centralized it in Smithtown.

So yes, it is centralized in Suffolk, it's the only site that provides it and we have talked to both the State of New York Department of Health and the Office of Temporary Disability Assistance

to see if there's any restrictions against such consolidation.

**VICE•CHAIRMAN BINDER:**

Legislator Kennedy.

**LEG. KENNEDY:**

There are a whole range of questions that I think this administrative policy brings out to bear. I represent essentially all of the area that is contiguous right around here in Smithtown. Were I representing somebody who was an active diabetic or a hypertensive or anybody on life preserving medication who presented at a center and it was indigent and was told, "Get yourself to Smithtown," I would say how in God's green Earth is somebody going to go ahead and meet that physical type of a mandate, a requirement? And how is it that we find out just kind of through the grapevine that there's this decision that's going to effect folks across the board throughout the whole County?

**COMMISSIONER DEMARZO:**

I mean, our real •• I hear what you're saying, I understand. There are a lot of administrative processes and efficiencies that we implement. What's lost in this conversation is, yes, indeed we have streamlined the process, but you have to understand, if you're on Medicaid you get coverage.

It was my goal •• because we had •• we were not meeting our statutory time frames for seeing people with emergency needs such as food and shelter and heating, and it was our goal to try make sure that we saw the mandated services that we are required to do under State law. And we are in all centers now, for the first time in all of my staff's memory, meeting our statutory timeframes for emergency services. So certain restructurings were done to meet that optimal goal of making sure that the essential mandated services were done. We did not cut it off, we centralized it and we •• you know, we are finding that it's a 50% denial rate, but you have to •• you know, what I think that's important to understand is it's not everybody that's indigent, it's when you meet the emergency safety net standard. So yes, it is a restructuring, I think that it has afforded us efficiencies and meeting clients needs in other ways. And it is within local funds, it's one of the most expensively locally funded programs that we run.

**LEG. KENNEDY:**

All right. I really don't want to pick up any more of the committee's time on this discussion.

Obviously I've got additional interest in it, I guess I'll correspond with you or perhaps you and I could meet. I would like to get some of the particulars on this as far as cost, decision making, where we're at and what the impact is specifically on people who may not be able to go ahead and get benefit based on transportation or whatever the other things are. I just think it's an issue of concern.

**LEG. FOLEY:**

Allan?

**VICE•CHAIRMAN BINDER:**

As long as we're talking about the subject, you said that you recommended that we end the program and that wasn't accepted; what was the reasons for the non•acceptance?

**COMMISSIONER DEMARZO:**

It was included in my budget submission last year, the County Executive's Office did not accept it as part of the recommendations.

**VICE•CHAIRMAN BINDER:**

And we're the only County, you're saying, in all New York State that does this?

**COMMISSIONER DEMARZO:**

Correct. I've talked to my other Commissioners, I have letters from OTDA and the Department of Health, and actually what we have found out is that in addition to not being able to seek State and Federal reimbursement for the actual cost of the program, we can't even seek •• we have to time study the worker that does it because this is not a claimable expense for our workers which was ••

**VICE•CHAIRMAN BINDER:**

And you're saying that cost us last year?

**COMMISSIONER DEMARZO:**

Last year, to the best of my recollection at this point, because I wasn't aware I was speaking on it today, was about \$600,000 of taxpayer dollars.

**VICE•CHAIRMAN BINDER:**

Okay, I'm going to look very seriously at putting in a resolution to end the program, so I'm going to talk to Counsel about that. Legislator O'Leary.

**LEG. O'LEARY:**

Commissioner, just for purposes of clarification in my mind, you say we're the only County in the State that does this; how do the other counties handle the emergent need for prescriptives for those who are indigent?

**COMMISSIONER DEMARZO:**

It depends upon where you are. In some counties •• and you know, it really •• systems evolve based upon local cultures and local traditions. In other counties, some of them have told me that, you know, they have agencies that will provide them with the dollars to do that, not•for •profit agencies, you know, in some of the rural counties, local doctors give out samples. So it's really a patchwork of responses based upon the culture and the local community.

**LEG. O'LEARY:**

So it's basically customized depending on the need in the various areas.

**COMMISSIONER DEMARZO:**

(Shook head yes.)

**LEG. O'LEARY:**

But nothing mandated like we have here in the County with the \$600,000 that we've appropriated for this purpose.

**COMMISSIONER DEMARZO:**

Correct.

**LEG. O'LEARY:**

To your knowledge, no other county appropriates monies for this particular ••

**COMMISSIONER DEMARZO:**

We have posted •• I have talked to many Commissioners throughout the State, we've talked to OTDA, I've posted it on the Public Welfare bulletin board to see if there's, you know, anyone

who else that does it. You know, I cannot say one hundred percent certain, but all my research, all my questions have come back and I have not been able to identify one.

**VICE•CHAIRMAN BINDER:**

Legislator Foley.

**LEG. FOLEY:**

Thank you. First as a follow•up to what Ms. Earl had to bring up about the Coram Health Center. I don't know whether it's to Dr. Graham or Commissioner DeMarzo, the Public Health Nurses who have moved into the health center, can you tell us for the record which rooms they have moved into? We heard some of them •• secondly, we heard the concerns by a representative of the Advisory Board, and how do we intend to go from here on to try to address it?

**MR. ZWIRN:**

Maybe I can answer that better. And I think Legislator O'Leary accurately described what happened at the Ways & Means Committee about the lease that was on.

**LEG. FOLEY:**

Right.

**MR. ZWIRN:**

And I asked, on behalf of the County Executive's Office, to have that tabled for one cycle; I didn't ask for it to be withdrawn, I asked for it to be tabled. Because Public Works is evaluating the facility in Coram, they believe that there is enough space there in the conference room, the conference room is much larger than ••

**COMMISSIONER DEMARZO:**

Who's conference room? I'm sorry.

**LEG. FOLEY:**

Yeah, Health Services got the conference room, Social Services didn't.

**MR. ZWIRN:**

I understand. But they were just taking a look to see if it could be accommodated. And it's primarily •• if it can be, it was for cost savings; if we didn't have to have another lease, another facility, then that would be fine. But I think they're still reviewing it, Public Works is doing an analysis of it. It will go through all the proper procedures, through Space Management, whatever has to be done it will be done, but I think that's why we asked for the tabling of the resolution for one cycle so they have additional time to evaluate it.

**LEG. FOLEY:**

If I just may follow up. Thank you. And this is prior to the current administration when the floor plan was being developed. And correct me if I'm wrong, Commissioner DeMarzo, was Public Health Nursing part of DSS? I mean when it was in the old Coram Health Center, what part of the building was it in and why were they not part of the floor allocation when ••

**COMMISSIONER DEMARZO:**

Actually, I have to say.

**LEG. FOLEY:**

Go ahead.

**COMMISSIONER DEMARZO:**

This is the first time I've ever heard it.

**LEG. FOLEY:**

I just heard it, too.

**COMMISSIONER DEMARZO:**

They're a division of the •• of the Health Department. That's why I said, they're taking my conference room, our conference room?

**LEG. FOLEY:**

No, it's the Health Department's.

**COMMISSIONER DEMARZO:**

No, this is ••

**LEG. FOLEY:**

It's the Health Center.

**COMMISSIONER DEMARZO:**

You know, as not part of the Department of Social Services, I'm not familiar with where they were in the Coram Health Center.

**LEG. FOLEY:**

We were told they were in the DSS side of the building.

**COMMISSIONER DEMARZO:**

I think they •• you know, I'm not sure, I'm really not sure.

**LEG. FOLEY:**

If we could do this, through the Chair. I know there's a separate resolution for what we could call the old Town Hall on Route 112. It would be interesting to find out •• and again, it's prior to the current administration •• but if Public Health Nursing was part of the old Coram Health Center building for all those years, why was it not part of some floor allocation plan for either the health center side or the Social Services side of the new building? It would be helpful to find that out. Okay? Now, can I just follow•up? I've got a second ••

**VICE•CHAIRMAN BINDER:**

You have the floor.

**LEG. FOLEY:**

Thank you. Dr. Graham, I know you won't have an answer today, but it's my understanding that the Health Department •• then again, maybe it's DSS •• has applied to the State under the Suffolk Health Plan to have Family Health Plus as part of the coverage where the County can be reimbursed from the State. It's my further understanding that there's been rather a delay in the decision making •• an affirmative decision by the State in that regard. Could you give us some indication today about that or, if not, at the next committee meeting? Because we as a committee could also be of help in trying to persuade the State to move forward in giving, let's say, coverage for that as they do now for Child Health Plus under Suffolk Health Plan. So if you

can give us an overview on that, where it stands?

**MR. WEIMANN:**

Good morning. My name is Fred Weimann, I'm the Chief Operating Officer of Suffolk Health Plan. And I was speaking with New York State as recently as yesterday on this issue and I spoke with Mr. Zwirn a little earlier asking for his assistance in dealing with the State of New York. We believe we as the Health Department have met all requirements to enter Family Health Plus and are essentially bickering with the Bureau of Managed Care Financing over the financial structure of the plan and our ability to be profitable in Family Health Plus. So ••

**LEG. FOLEY:**

So it's our time •• through the Chair, what's our time frame? And do they give you any indications of when their decision will be made?

**MR. WEIMANN:**

No, it's been a very difficult process ••

**LEG. FOLEY:**

Okay.

**MR. WEIMANN:**

•• because they don't have a check list.

**LEG. FOLEY:**

Now, Child Health Plus was already covered.

**MR. WEIMANN:**

Child Health Plus we've been in since 1999.

**LEG. FOLEY:**

Right. Now, just very briefly, if you can tell the committee the importance of this. It's my understanding that we lose clients to the health centers because, in fact, those families who come to the health center, because the Suffolk health center doesn't cover Family Health Plus, that we lose potential clients; is that not correct?

**MR. WEIMANN:**

That is absolutely true, we lose ••

**LEG. FOLEY:**

Have you quantified a number?

**MR. WEIMANN:**

No.

**LEG. FOLEY:**

No?

**MR. WEIMANN:**

I mean, we lose not only the family, we lose revenue to the health center for someone who doesn't go to a different plan but continues to go to the health center as an adult, an uninsured adult. So we're very anxious to get that person insured and into Suffolk Health Plan.

**LEG. FOLEY:**

Well, if there's •• through the chair, is it ultimately the State Commissioner of Health, is it one of the Deputy Commissioners of Health who oversees ••

**MR. WEIMANN:**

Kathleen \\_Shore\\_ is the Director of the Bureau of Managed Care and she reports directly to Antonia \\_Novella\\_ as the Commissioner.

**LEG. FOLEY:**

Is there •• okay. What I'd ask through the chair is if the department could give to us, you know, one page, no more than two, but one page, the folks names you just mentioned and the addresses and phone numbers so we also could then contact and request that they affirmatively support •• whether they support the application.

**MR. WEIMANN:**

The Health Department would appreciate your help in that.

**LEG. FOLEY:**

That would be very helpful. All right? Plus we can do a Sense. Some around the horseshoe question the effectiveness of a Sense Resolution, but still there are different things that we can do to help in that regard. Okay?

**MR. WEIMANN:**

Thank you.

**LEG. FOLEY:**

So get it through the Chair, we'd appreciate it. Thank you,  
Mr. Chairman.

**LEG. O'LEARY:**

Through the chair?

**VICE-CHAIRMAN BINDER:**

Legislator O'Leary.

**LEG. O'LEARY:**

Actually my question is directed to Legislator Foley.

**LEG. FOLEY:**

Yes.

**LEG. O'LEARY:**

The matter that you brought up, is that on the agenda today, the issue of the Suffolk Health Plan and the Child Health Plus?

**LEG. FOLEY:**

There is a •• it's a contract award that's being given for the consultants or for •• but not for •• it's for the Suffolk Health •• it's to manage the Suffolk Health Plan; is that ••

**LEG. O'LEARY:**

Are you speaking specifically of 1752?

**LEG. FOLEY:**

No, not that. This is not directly related to the bill but to a larger issue of how the Suffolk Health Plan relates to State aid for clients who utilize the health plan.

**LEG. O'LEARY:**

All right. I would just like, then, to direct a question to Mr. Weismann is it?

**MR. WEIMANN:**

Weimann.

**LEG. O'LEARY:**

Yeah, I'll take out the S, Weimann. Regarding IR 1752, the contract award, Department of Health Services for the Suffolk Health Plan; are you familiar with that, sir?

**MR. WEIMANN:**

Yes. Yes, I am.

**LEG. O'LEARY:**

We have requested •• there's language in the resolution that says that the contract award would exceed \$20,000 and we've requested •• how much does it exceed \$20,000, we are requesting an exact figure for that; are you able to give that to us today?

**MR. WEIMANN:**

No. What this contract is, this is a firm that we are engaging to help us review particularly high cost hospital claims. And as we receive what we call an outlier claim from a hospital, if we have questions about it we want to send it to this firm for analysis. So it's really an as•needed situation. I would say when we initiated this process probably 18 months ago, we had three claims we wanted to look at, today we do not have any claims we want to look at.

**LEG. O'LEARY:**

What is your educated guess, then, on how much would it exceed the \$20,000 by language in the contract?

**MR. WEIMANN:**

My guess is this contract would be under \$10,000 a year.

**LEG. O'LEARY:**

Well, if it was under ten, then why would we have language that indicates that it would, in fact, exceed 20,000?

**MR. WEIMANN:**

I mean, it may; again, you're asking my educated guess. I would say 10,000, it might hit 20, it might hit 30, but it's never going to hit 100.

**LEG. O'LEARY:**

Well, how do we know that?

**MR. WEIMANN:**

Because it wouldn't be worth it to Suffolk Health Plan to spend that kind of money reviewing claims.

**LEG. O'LEARY:**

Okay, thank you.

**VICE•CHAIRMAN BINDER:**

Okay. Let's go to the resolutions.

### **Tabled Resolutions**

The first resolution up is ***1421•05 • Adopting Local Law No. 2005, a Local Law to prohibit the sale of all cold medicine containing Dextromethorphan (DXM) to minors within the County of Suffolk (Nowick).***

**LEG. O'LEARY:**

Motion to table.

**VICE•CHAIRMAN BINDER:**

I think she's still working on that, right?

**LEG. O'LEARY:**

Yes.

**VICE•CHAIRMAN BINDER:**

Motion to table by Legislator O'Leary, second by myself. All those in favor? Opposed? ***1421 is tabled (VOTE: 6•0•0•1 Not Present: Legislator Tonna).***

***1451•05 • \$50,000: Establishing an Affordable County•wide Fee Waiver Program for the testing of private wells by the Suffolk County Department of Health Services (Caracciolo).*** Counsel, did we do the \$35,000 one? There was another one on here, I think we did the lower limit.

**LEG. FOLEY:**

Yes.

**VICE•CHAIRMAN BINDER:**

I'm going to make a motion to table subject to call. All those in favor? Opposed? ***1451 is tabled subject to call (VOTE: 6•0•0•1 Not Present: Legislator Tonna).***

***1497•05 • Adopting Local Law No. 2005, a Local Law to regulate boarding kennels, businesses and establishments (County Executive).***

**MR. ZWIRN:**

Mr. Chair, we just filed a corrected copy, the committee may want to take a look at it and table it one more cycle.

**VICE•CHAIRMAN BINDER:**

Motion to table by Legislator Montano, second by Legislator O'Leary. All those in favor? Opposed? ***Tabled (VOTE: 6•0•0•1 Not Present: Legislator Tonna).***

***1577•05 • To ensure the safety and protection of participants in youth organizations within Suffolk County (O'Leary).*** Legislator O'Leary?

**LEG. O'LEARY:**

Motion to approve.

**LEG. FOLEY:**

Second.

**VICE-CHAIRMAN BINDER:**

Motion to approve by Legislator O'Leary, second by Legislator Foley. Any comments by departments, no? All those in favor? Opposed? ***Approved (VOTE: 6•0•0•1 Not Present: Legislator Tonna).***

***1585•05 • Adopting Local Law No. 2005, a Local Law to require screening of employees of agencies providing hot-line services to children who are victims of sexual abuse (O'Leary).*** Motion by Legislator O'Leary, second by myself. Is there any comment, discussion? I just want to commend Legislator O'Leary for in the summer months, the hot days, sitting down and working this out, because there were obviously some big concerns and you did a great job in getting there. Thank you. We have a motion and a second.

**LEG. O'LEARY:**

The thanks go to my staff.

**LEG. FOLEY:**

Just on the motion.

**VICE-CHAIRMAN BINDER:**

Legislator Foley.

**LEG. FOLEY:**

Legislator O'Leary?

**LEG. O'LEARY:**

Yes?

**LEG. FOLEY:**

The concerns that were raised by Ms. Wagner at the prior meeting were addressed over the some intervening months?

**LEG. O'LEARY:**

Yes, I've amended both resolutions addressing their concerns and amending the language for primary purpose which is what their concern was.

**LEG. FOLEY:**

Thank you.

**VICE•CHAIRMAN BINDER:**

We have a motion and a second. All those in favor? Opposed?

***Approved (VOTE: 6•0•0•1 Not present: Legislator Tonna).***

***Home Rule Message No. 6•2005 • Home Rule Message requesting New York State Legislature to authorize the County of Suffolk to conduct inspections of pet dealers and to provide penalties for violations of article 26A of the Agriculture and Markets Law (Assembly Bill A.8194 and Senate Bill S • • •) (Presiding Officer at the Request of the County Executive).***

**MS. KNAPP:**

You've got to table, there's no Senate bill.

**VICE•CHAIRMAN BINDER:**

Oh, there's no Senate bill. Motion to table by myself, second by Legislator O'Leary. All those in favor? Opposed? ***Tabled (VOTE: 6•0•0•1 Not Present: Legislator Tonna).***

### **Introductory Resolutions**

***1738•05 • Adopting Local Law No. 2005, a Local Law to protect the health of Suffolk County residents by requiring defibrillators in nursing homes (Nowick).*** That has been closed and it is available to be sent out. I'm making a motion to approve.

**LEG. O'LEARY:**

Second.

**VICE•CHAIRMAN BINDER:**

Second by Legislator O'Leary. Is there any comment, comments by the Health Department?

None. All those in favor? Opposed?

***Approved (VOTE: 6•0•0•1 Not Present: Legislator Tonna).***

***1739•05 • Amending the 2005 Capital Budget and Program and appropriating funds in connection with the purchase of digital mammography equipment for the Coram Health Center (CP 4055).***

**LEG. FOLEY:**

Mr. Chairman?

**VICE•CHAIRMAN BINDER:**

Legislator Foley.

**LEG. FOLEY:**

Thank you. Today happens to be Coram Health Center Day, Elsie Owens Health Center Day. I'm going to withdraw this particular resolution, 1766 speaks to it as well. This happened in the past with other County Exec's, they had a bill that developed, in fact, it's the more accurate number as well; it's not 660 as our resolution has it, it's actually 350,000 from what I was told by the Health Department. So in order to move the process along, what's most important is that the digital mammography equipment be purchased for the health center, I will be withdrawing 1739 and I and our colleagues who went on as cosponsors certainly can cosponsor Resolution 1766. So I'm going to withdraw 1739, Mr. Chairman.

**VICE•CHAIRMAN BINDER:**

So you're making •• we don't have to make a motion, you're verbally withdrawing it from ••

**LEG. FOLEY:**

Right.

**VICE•CHAIRMAN BINDER:**

Okay, consideration. *That's withdrawn.*

**1740•05 • Creating the Suffolk County Swimming Pool Safety Task Force (Losquadro).**

**LEG. LOSQUADRO:**

Motion.

**LEG. KENNEDY:**

Second..

**VICE•CHAIRMAN BINDER:**

Motion by Legislator Losquadro, second by Legislator Kennedy.

Is there discussion on this? If not ••

**MR. ZWIRN:**

Mr. Chairman?

**LEG. O'LEARY:**

Place me as a cosponsor, please. I don't know if I've already done so.

**VICE•CHAIRMAN BINDER:**

Me, too; in fact, I would think everyone on the committee wants to be on. I don't know if we're all on at this point but we should all be on.

**MR. ZWIRN:**

Mr. Chair, may I just ••

**LEG. FOLEY:**

Ben, you want to cosponsor?

**MR. ZWIRN:**

Well, I can't cosponsor.

**VICE•CHAIRMAN BINDER:**

Mr. Zwirn wants to cosponsor the bill. I'd like to see that, please send that over that says a little Zwirn on there.

**MR. ZWIRN:**

I gave the face of political hacks at the earlier committee. The County Executive is, of course, in support of this task force and he asked us to pull together some of the material that is already in existence.

**LEG. LOSQUADRO:**

Sure.

**MR. ZWIRN:**

There was a video tape that was done back in 1997 on this, a public service announcement which was actually aired, I believe, a number of times on cable television. The Legislature has dedicated June as Safety Pool Awareness Month, Legislator Nowick had an excellent column in the local newspaper this week talking about it and we have a whole bunch of things that we can provide from the Health Department. Dr. Alicandro is here from the Health Department who has worked on this in the past and would be interested in working on it in the future. And if we save one child's life, then whatever we can do to get this message out.

And as anecdotally, you know, I have a swimming pool and I can tell you, you have to be there. Because I have all the latch doors, I have all the stuff that we've seen today and yet I've been in the pool when my kids were small and even being there, they went under and fortunately we pulled them out. But just for a second, they can just disappear under the water, you can't see through it and you just say where's your child? I mean, it's a frightening thing. And my daughter actually was next to a child that drowned at day camp out here on Long Island not that long ago. So it's a very important issue and very real issue for everybody who lives out here.

**VICE•CHAIRMAN BINDER:**

You have alarms.

**MR. ZWIRN:**

I have alarms, I have the self-latching doors, the doors speak when they are opened so anybody can know who can unlatch and they lock and a number of times I've been locked out of my own house because the doors close and they can't be opened. I mean, it's •• you know, we have very high fencing and you still worry about some other neighbor's child or somebody coming in and, you know, without a cover on it all the time. It is a wonderful thing to have, especially in weather like this, and it's also one of the most dangerous things that any homeowner who has children nor neighbors as an attractive nuisance can have as well. But the County Executive is in full support and anything he can do to help, he stands ready, willing and able to do so.

**VICE-CHAIRMAN BINDER:**

Legislator Losquadro.

**LEG. LOSQUADRO:**

Mr. Zwirn, thank you and I appreciate the offer of help.

One of the things that I was very quick to point out during the press conferences and discussions regarding this is New York State as a whole, and all the towns and villages within Suffolk County, are much better than other parts of the country currently, but that is not to say that there certainly isn't more that can be done. And I know that a lot has been done in the past even by Suffolk County, you know, designating June as Pool Safety Awareness Month, and I look forward to sort of standing on the shoulders of those who have come before me and building upon that success.

So I thank you. And I know there is certainly a great deal of information that we'll be able to draw upon in working with this task force. So thank you.

**VICE-CHAIRMAN BINDER:**

And, you know, we've even had a former Legislator who had the horrendous experience of having someone pass, a child, in his backyard pool, so there's nothing more scary. I can tell you as I look for houses, one of the bottom line is that it doesn't have a pool, you know. It's nice to have, I guess, for a few months a year, but boy, the fear factor to me, I don't know if

it's worth it to fear year•round; as you say, the attractive nuisance, and that's the legal term but it really is what it is.

**CHIEF DEPUTY COMMISSIONER GRAHAM:**

You can have all the •• if I may say a few words on this.

**VICE•CHAIRMAN BINDER:**

Dr. Graham, sure.

**CHIEF DEPUTY COMMISSIONER GRAHAM:**

Is that obviously there's no substitute for continuous adult supervision at all times. That does not only apply, obviously, to swimming pools, in•ground or above ground, it applies to little kiddie pools, it applies to buckets of water, five gallon buckets of water. Children are known to be very ••

**VICE•CHAIRMAN BINDER:**

Bath tubs.

**CHIEF DEPUTY COMMISSIONER GRAHAM:**

•• curious, stick their head in and they become ••

**VICE•CHAIRMAN BINDER:**

Right, but bath tubs, kids taking baths.

**CHIEF DEPUTY COMMISSIONER GRAHAM:**

Bath tubs, of course. So obvious •• and even though you may take all the precautions necessary for your pool or your swimming pool or your property, obviously with all the covers and alarms and fences, etcetera, if your neighbor doesn't do the same and have the same •• take the same precautions that you do, obviously there's a very great risk there for young children. So that's why this is so important.

**VICE•CHAIRMAN BINDER:**

Thank you. And thank you for the work you did on this, Legislator Losquadro, Legislator Kennedy. We have a motion and a second.

All those in favor? Opposed? **1740 is approved (VOTE: 6•0•0•1 Not Present: Legislator**

**Tonna).**

**1748•05 • Amending the 2005 Adopted Budget to reallocate New York State Office of Alcoholism and Substance Abuse Services (OASAS) funding for programs administered by the Board of Cooperative Educational Services (BOCES) (County Executive).**

**LEG. FOLEY:**

Motion.

**VICE•CHAIRMAN BINDER:**

Motion by Legislator Foley, second by Legislator O'Leary.

**LEG. FOLEY:**

And place on the consent calendar.

**VICE•CHAIRMAN BINDER:**

And the motion was also to put it on the consent calendar.

All those in favor?

**LEG. O'LEARY:**

Can we do that?

**VICE•CHAIRMAN BINDER:**

Yeah, sure you can. All those in favor? Opposed?

**Approved (VOTE: 6•0•0•1 Not Present: Legislator Tonna).**

**1752•05 • Requesting Legislative approval of a contract award for Quality Improvement Services for the Department of Health Services, Suffolk Health Plan (County Executive).** I'm just going to make a motion to table for a cycle so we can just take more of a look at this and make sure in terms of what the numbers are. I'm concerned, I saw that there were seven vendors that were •• I know there are a ton more vendors than seven out there who do this kind of work, there are a lot of people who do this kind of stuff, so. And I'm surprised that only one replied to Suffolk County, so I want to get just more of an

understanding of why that would be so. It just doesn't make much sense because we're a big contract, it would seem

**MR. WEIMANN:**

If I may, this is actually a very small contract and that is part of the problem. We are a very small plan, we identify few of these problems. We had used \\_I•Pro\\_ in a local under \$10,000 contract two years ago and it was not a successful contract as it resulted, we never actually did pay \\_I•Pro) for the work product. So it was very difficult to even find seven vendors for this.

**VICE•CHAIRMAN BINDER:**

Because it is so •• I mean ••

**MR. WEIMANN:**

It's a unique kind of thing, DRG review is a complex subject and we are really a small plan. We met yesterday with \\_Ingenics\\_ , a national firm out of Minnesota who may do this for us on a bigger basis, \\_data•mining\\_ the entire Fraud and Abuse Program, but for this single piece which is DRG review, it really is •• it's a a tedious job where you go through a paper box of medical records trying to find out what really happened. So no, I was actually very delighted to get seven potential bidders and one viable response.

**VICE•CHAIRMAN BINDER:**

Legislator O'Leary?

**LEG. O'LEARY:**

Yeah, I'll second the motion to table this resolution for one cycle.

But I just want to make note of the fact that when Legislative Counsel's Office makes requests for any backup or data, you know, I would suggest that you comply with that, because there's no indication that any information requested has been forthcoming, so that's a concern that we have as well.

**MR. WEIMANN:**

I was unaware of that problem, I apologize.

**LEG. O'LEARY:**

All right. Well, Legislative Counsel, if they request any backup data or further information,

hopefully before the next committee cycle that will be done with respect to this initiative.

**MR. WEIMANN:**

Absolutely.

**LEG. O'LEARY:**

Thank you.

**VICE•CHAIRMAN BINDER:**

We have a motion and a second. All those in favor? Opposed?

***1752 is tabled (VOTE: 6•0•0•1 Not Present: Legislator Tonna).***

***1766•05 • Amending the Adopted 2005 Capital Budget and Program and appropriating the 2005 Pay•as•you•Go funds in connection with the purchase of equipment for Health Centers (CP 4055) (County Executive).***

**LEG. O'LEARY:**

Motion.

**VICE•CHAIRMAN BINDER:**

Motion by Legislator O'Leary, second by Legislator Foley. All those in favor? Opposed?

***Approved (VOTE: 6•0•0•1 Not Present: Legislator Tonna).***

**LEG. LOSQUADRO:**

Madam Clerk, please list me as a cosponsor.

**LEG. FOLEY:**

Mr. Chairman, we've approved the motion. We just had a side bar discussion with Mr. Ortiz and with Mr. Zwirn, it's come to our attention that the budget line of 350,000 •• well, 321,000 are monies that are allocated for a variety of health centers; is that correct, John?

**MR. ORTIZ:**

Yes.

**LEG. FOLEY:**

And that this resolution as it stands would empty that particular account. So what we've asked for Mr. Zwirn, he's going to look into it or have an amendment in place for Tuesday that will allocate the additional dollars for the digital mammography equipment along with the other equipment that the other health centers have asked for, so.

**MR. ZWIRN:**

Mr. Chairman, is it poss ••

**LEG. FOLEY:**

If we can't get it then we're going to table this resolution on the floor and we'll move forward with my own.

**MR. ZWIRN:**

I understand. If we do, would it be fair of this •• I mean, I would think this would be something that everybody would want to cosponsor, so if we can get it done I will call the chair and we could have a joint •• everybody would be on board on this one.

**LEG. FOLEY:**

Yes. And what's important here ••

**MR. ZWIRN:**

The entire Legislature and the County Executive could sponsor this.

**LEG. O'LEARY:**

Just a word of caution, that you continue the funding source to be pay•as•you•go; that's understood, correct?

**MR. ZWIRN:**

Yes.

**LEG. LOSQUADRO:**

Put me on as a cosponsor.

**LEG. FOLEY:**

Okay, gotcha. Yeah, it has to be pay•as•you•go.

**MR. ZWIRN:**

Absolutely, yes.

**VICE•CHAIRMAN BINDER:**

I don't think it's going to take too much to get this to happen.

**MR. ZWIRN:**

Thank you. I appreciate it.

**LEG. FOLEY:**

Good. But as an alert call by Mr. Ortiz, that the monies as originally sponsored was going to take the monies away from all the other health center equipment.

**MR. ZWIRN:**

I'll make sure that Budget works with BRO and we get this worked out for the meeting.

**LEG. FOLEY:**

Yeah, good. Thanks.

**VICE•CHAIRMAN BINDER:**

All right, let's get it on the floor. Motion to approve, second. All those in favor? Opposed? Oh, no, I'm sorry, withdraw what I just said. We already motioned, we seconded and we approved it; we'll move on. That's what happens when you speak after ••

**MR. COHEN:**

1748, did you put that on the consent calendar?

**VICE•CHAIRMAN BINDER:**

1748, yes, was approved and on the consent calendar. No, it's only one vote, the motion was to approve and put on the consent calendar.

## **Sense Resolutions**

***Sense Resolution No. 51 • 2005 • Memorializing Sense Resolution in support of the Darfur Accountability Act of 2005 (S.495) and the Darfur Genocide Accountability Act of 2005 (HR 1424) (Bishop).*** I'm sorry, I haven't looked at this so I'm going to make a motion to table until I can ••

**LEG. LOSQUADRO:**

Second.

**VICE•CHAIRMAN BINDER:**

Second by Legislator Losquadro. All those in favor? Opposed? Darfur is in Africa.

**LEG. FOLEY:**

Yeah, it's in the Sudan.

**VICE•CHAIRMAN BINDER:**

Where? In the Sudan.

**LEG. FOLEY:**

It's western Sudan, it's a very ••

**VICE•CHAIRMAN BINDER:**

It's very serious, what's happening in Sudan is very serious and the whole world is looking away and it's terrible. And that's not why we're tabling, it's just I've got to look at it and I haven't. There's a motion to table, we have a second. All those in favor? Opposed?

**LEG. FOLEY:**

Opposed.

**VICE•CHAIRMAN BINDER:**

***Sense 51 is tabled (VOTE: 5 • 1 • 0 • 1 Opposed: Legislator Foley •  
Not Present: Legislator Tonna).***

***Sense Resolution No. 52 • 2005 • Memorializing Sense Resolution in support of***

***protection for unmarked burial sites New York State Assembly Bill A.2272 and New York State Senate Bill S.3224(Schneiderman).***

**LEG. FOLEY:**

Explanation. They're out of session now.

**VICE•CHAIRMAN BINDER:**

The numbers stay, they survive because there's going to be •• they go the two year cycle, so those bills, they're going to still be alive when they come back.

**LEG. O'LEARY:**

If I may?

**LEG. FOLEY:**

(Inaudible).

**LEG. O'LEARY:**

If I may, Mr. Chair?

**VICE•CHAIRMAN BINDER:**

Legislator O'Leary.

**LEG. O'LEARY:**

The sponsor of this resolution has asked me to explain it and this has to do with native burial sites which the sponsor believes may have some historical value. Translated, he's pandering to the •• but he asked me to explain that.

**VICE•CHAIRMAN BINDER:**

That he was what?

**LEG. MONTANO:**

He said that in those words?

**LEG. O'LEARY:**

No, those are my words.

**VICE•CHAIRMAN BINDER:**

I'm glad he asked you, Mr. O'Leary, because it was succinct and to the point and very helpful to the sponsor.

**LEG. O'LEARY:**

But that's what it has to do with; the unmarked burial sites not only here in the County but throughout New York State is a concern of natives.

**VICE•CHAIRMAN BINDER:**

Native Americans you're saying.

**LEG. O'LEARY:**

Native Americans, yes.

**VICE•CHAIRMAN BINDER:**

Not just natives.

**LEG. O'LEARY:**

I'm sorry, Native Americans.

**LEG. LOSQUADRO:**

Who want to build a casino.

**LEG. O'LEARY:**

Who wish to build casinos. So this has to do with the native burial sites, Native American burial sites which the sponsor believes, again, had some historical value.

**VICE•CHAIRMAN BINDER:**

I'm going to make a motion to approve.

**LEG. O'LEARY:**

And I'll second that motion.

**VICE•CHAIRMAN BINDER:**

And second by Legislator O'Leary. Right, we have •• Social Services wants to make a comment.

**COMMISSIONER DEMARZO:**

No, no, no, no, I want to catch you right as you finish, I just have something to add to the agenda.

**VICE•CHAIRMAN BINDER:**

Oh, no, I thought you wanted to talk about native American burial sites.

**COMMISSIONER DEMARZO:**

No, no, no, not on this subject. No, I didn't realize you hadn't taken the vote yet, I'm sorry.

**VICE•CHAIRMAN BINDER:**

Because it's passed Social Services, you understand. Right, we're not doing that anymore, they're burial sites, okay. We have a motion and a second. All those in favor? Opposed?

***Sense 52 is approved (VOTE: 6•0•0•1 Not Present: Legislator Tonna).*** Wow, overwhelmingly, a unanimous vote.

**LEG. O'LEARY:**

And I hope it was based on the explanation that was given.

**VICE•CHAIRMAN BINDER:**

It was because of you.

**LEG. FOLEY:**

Very persuasive.

**VICE•CHAIRMAN BINDER:**

Yeah, I have to tell Mr. Schneiderman, I'm going to tell him what you did for him.

**COMMISSIONER DEMARZO:**

Right before adjournment, I just wanted to point ••

**VICE•CHAIRMAN BINDER:**

Commissioner.

**COMMISSIONER DEMARZO:**

I had handed out a package on a CN request that we've made of the County Executive's Office, it's moving monies around within the County budget from the Labor Department to EAC for a Homeless Shuttle Program. The Labor Department is on board for this, they have approved it. The program was running from April till September, we have additional monies for the end of the year, we wanted to get this done before the end of the grant period. We apologize for the lateness of it but we were waiting for final approval from the State as we put the Labor Department agreement and EAC's request together.

**VICE•CHAIRMAN BINDER:**

Let me ask Mr. Zwirn, before you shuttle off to Buffalo or wherever. If you would, I would like you to check into •• we're going to do it from our side, but you should check into the creation of commissions and the use of the name, Suffolk County Commission. I understand, I'm just saying please check into it. The fact is that Mr. Arfin, I think completely innocently, used a County seal and whoever was advising him gave him •• right, they didn't give him advice, they should have, they should have discovered, they should have said, "Please, let me see the report before it goes to the Legislature, before you're going over there." This is supposed to be advice, Mr. Levy, it sounds like an official report, the whole thing. I would like to have some discussions. Because it would be a bad thing, for us to start press •• having precedence of legislative•type commissions and committees and task forces created by the County Executive that go beyond personal advisory and they become semi or quasi or fully official. And it's just a concern, obviously there's this separation and we really •• we should have those separation of powers.

**MR. ZWIRN:**

I checked to see if it had been done by executive Order or something and no.

**VICE•CHAIRMAN BINDER:**

Right.

**MR. ZWIRN:**

So I don't really know ••

**VICE•CHAIRMAN BINDER:**

So let's see if we can converse on this, just so, as I say, it doesn't start a precedent.

**MR. ZWIRN:**

Your comments are well taken and taken in the right spirit.

**VICE•CHAIRMAN BINDER:**

Right.

**LEG. FOLEY:**

Mr. Chairman?

**VICE•CHAIRMAN BINDER:**

Legislator Foley.

**LEG. FOLEY:**

Yeah, I'm going to withdraw the motion to •• I'm going to withdraw the motion to withdraw 1739 and make a motion to table that resolution ••

**LEG. MONTANO:**

Second.

**LEG. FOLEY:**

•• pending the amendment of 1766 for Tuesday's meeting. So, motion to table 1739.

**VICE•CHAIRMAN BINDER:**

Okay, so I just want to ask Counsel; I think you can withdraw your comment. I mean, in a sense, does a comment withdraw ••

**LEG. FOLEY:**

But I still have to make a motion to table.

**VICE•CHAIRMAN BINDER:**

Would he have to have officially •• I just want to make it on the record so there's not a question as to whether this is live, because then we pass it and then they ask afterwards. So I just want Counsel's opinion as to on the record said he's withdrawing the bill, does that make it withdrawn or would he have had to officially notify the Clerk's Office for the full withdrawal? And since it is not withdrawn, we can go back and we can make a motion to table; I just want to get counsel on that.

**MS. KNAPP:**

There's been no action taken by the Clerk's Office in the interim, so that he can certainly rescind his request to withdraw.

**LEG. FOLEY:**

Okay. So motion to table.

**VICE•CHAIRMAN BINDER:**

Motion to table by Legislator Foley, second by Legislator Montano.

All those in favor? Opposed? ***1739 is tabled (VOTE: 6•0•0•1 Not Present: Legislator Tonna).***

**LEG. FOLEY:**

Thank you.

**VICE•CHAIRMAN BINDER:**

All right. Motion to adjourn, second by Legislator O'Leary.

All those in favor? Opposed? We're adjourned.

***(\*The meeting was adjourned at 1:31 P.M. \*)***

***Legislator Allan Binder, Vice***

***•Chairman***

***Health & Human Services Committee***